

New registration categories for the Education Workforce Council

Consultation response form

Your name: Dr Kirsten Jones

Organisation (if applicable): Natspec

email/telephone number: Kirsten.jones@natspec.org.uk

Responses should be returned by **24 May 2022** to:

Governance and Legislation Team
Schools Effectiveness Division
Education and Public Services Group
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

or completed electronically and sent to:

email: EWCConsultation.WG44232@gov.wales

What do you think of our proposals for some staff working at independent schools to register with the Education Workforce Council (EWC)?

Question 1 – Do you agree registration should be broadened to include some staff working at independent schools?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
------------	-------------------------------------	-----------	--------------------------	-------------------	--------------------------

Supporting comments

We welcome Welsh Government's recognition that staff working in education and youth work are at the core of helping learners fulfil their potential as valued members of society and that it is seeking to positively reinforce the professionalism of this vital workforce.

Question 2 – Is the description of 'specified work' in [regulation 17 of the Education Workforce Council \(Main Functions\) \(Wales\) Regulations 2015](#) broad enough to cover the roles and responsibilities of teaching staff at independent schools?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input checked="" type="checkbox"/>
------------	--------------------------	-----------	--------------------------	-------------------	-------------------------------------

Supporting comments

--

Question 3 – Further to the following list of roles, are there other roles within independent schools which should fall into the category of school teacher?

- Full-time teaching staff
- Part-time teaching staff
- Those responsible for leading the learning at the school, for example headteacher or proprietor
- Supply staff – procured through an agency or otherwise
- Peripatetic teaching staff – for example music and sports teachers
- Advisory teaching staff who spend a proportion of their time in a teaching capacity, involving direct unsupervised learner contact
- Home tutors who are employed to teach learners unable to attend school on a regular basis
- Any other staff who may have more than one role within a school, one of which includes teaching – for example houseparent, careers advisor, tutors

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input checked="" type="checkbox"/>
------------	--------------------------	-----------	--------------------------	-------------------	-------------------------------------

Supporting comments

--

Question 4 – Is the following description broad enough to cover all the roles and responsibilities of learning support workers at independent schools?

Learning support workers at independent schools are those who support school teachers to:

- plan and prepare lessons and courses of study for learners

- deliver lessons to learner (including through distance learning and virtual techniques)
- assess the development, progress and attainment of learners
- report on the development, progress and attainment of learners.

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input checked="" type="checkbox"/>
------------	--------------------------	-----------	--------------------------	-------------------	-------------------------------------

Supporting comments

Question 5 – Does this list cover all roles within independent schools which should be included in the learning support category?

- Teaching assistant
- Classroom assistant
- Learning support assistant
- Higher level teaching assistant (HLTA)
- Special/additional needs assistant
- Bilingual support assistant
- Pastoral/welfare assistant
- Support assistant
- Tutors (residential and non-residential)
- Early years assistants
- Instructors
- Cover supervisor
- Technicians
- Learning coaches

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input checked="" type="checkbox"/>
------------	--------------------------	-----------	--------------------------	-------------------	-------------------------------------

Supporting comments

Question 6 – Do you think there are there any other groups of staff employed in independent education settings who should be required to register with the EWC?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input checked="" type="checkbox"/>
------------	--------------------------	-----------	--------------------------	-------------------	-------------------------------------

Supporting comments

Question 7 – Please add here any further comments on our proposals for requiring registration of staff of independent schools.

What do you think of our proposals to change some of the requirements for youth workers and youth support workers to register with the EWC?

Question 8 – Do you agree registration should be broadened to include all paid youth workers and youth support workers regardless of the setting they work in?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input checked="" type="checkbox"/>
------------	--------------------------	-----------	--------------------------	-------------------	-------------------------------------

Supporting comments

--

Question 9 – Do you think students currently working towards a youth work or youth support worker qualification should register?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input checked="" type="checkbox"/>
------------	--------------------------	-----------	--------------------------	-------------------	-------------------------------------

Supporting comments

--

Question 10 – Do you think people who are paid and delivering youth work, but who are not qualified, should register?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input checked="" type="checkbox"/>
------------	--------------------------	-----------	--------------------------	-------------------	-------------------------------------

Supporting comments

--

Question 11 – Do you agree the list of qualifications in [Schedule 1](#) and [Schedule 2](#) to the Education Workforce Council (Registration of Youth Workers, Youth Support Workers and Work Based Learning Practitioners) Order 2016 should be removed from the Order and held elsewhere?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input checked="" type="checkbox"/>
------------	--------------------------	-----------	--------------------------	-------------------	-------------------------------------

Supporting comments

--

Question 12 – Do you agree the list of qualifications at Annex A is the current list for youth workers and youth support workers?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input checked="" type="checkbox"/>
------------	--------------------------	-----------	--------------------------	-------------------	-------------------------------------

Supporting comments

--

Question 13 – Do you agree additional information should be provided in the 2016 Order to clarify the difference expected in qualification levels between a youth support worker and a youth worker?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input checked="" type="checkbox"/>
------------	--------------------------	-----------	--------------------------	-------------------	-------------------------------------

Supporting comments

Question 14 – Please share with us any thoughts you may have on our future work on volunteers in the youth work sector.

Question 15 – Please add here any further comments on our proposals for changing the registration requirements of youth workers and youth support workers.

What do you think of our proposals to change the requirements for staff working in post-16 education to register with the EWC?

Question 16 – Do you agree all community-based adult learning providers, whether they are employed through a further education institution or a local authority, should be required to register with the EWC?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input checked="" type="checkbox"/>
------------	--------------------------	-----------	--------------------------	-------------------	-------------------------------------

Supporting comments

Question 17 – Do you agree all principals and senior leaders, including chief executive officers, in further education and work-based learning institutions should be required to register with the EWC, even if they do not deliver any direct teaching?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
------------	-------------------------------------	-----------	--------------------------	-------------------	--------------------------

Supporting comments

We agree that in principle, senior leaders in education settings should be required to register with the EWC and welcome this move to more equitable policy approaches across Wales's education providers. We believe that staff delivering education and training to young people with complex additional learning needs (ALN) in specialist further education (FE) colleges should not be excluded from post-16 education policy. We applaud Welsh Government making steps through this consultation to bring some parity to the professions. We hope these moves can mirrored by others more positively focused on quality improvement including equal access to Hwb for Wales education providers. In addition, we have previously highlighted that the excellence of staff in specialist further education colleges should be able to be recognised through Welsh Government's professional teaching awards, but these staff continue to be excluded from being able to apply. This is inequitable and not

least in light of the ongoing work by staff in specialist FE colleges working with Further Education Institutions supporting ALN transformation across Wales.

In terms of registration with the EWC, we suggest Welsh Government and the EWC make clearer the benefits of registration for individual staff members and education settings. It is important that the payment of a registration fee to the EWC results in equitable and fit for purpose support from the EWC for registrants from the wider settings the consultation seeks to include. It will be inappropriate if staff working in specialist colleges who typically earn less than staff in mainstream settings are required to pay a registration fee to an organisation whose support and resources are aimed at supporting mainstream providers.

Question 18 – Do you agree the exemption included in regulation 19(2)(a) of [the Education Workforce Council \(Main Functions\) \(Wales\) Regulations 2015](#), which means the requirement to register does not apply to a person who ‘teaches higher education in or for a further education institution’, should be removed?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
-----	-------------------------------------	----	--------------------------	------------	--------------------------

Supporting comments

--

Question 19 – Do you agree with the proposition for all work-based learning practitioners employed through publicly funded programmes to be required to register with the EWC?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input checked="" type="checkbox"/>
-----	--------------------------	----	--------------------------	------------	-------------------------------------

Supporting comments

--

Question 20 – Please add here any further comments on our proposals for changing the requirements for registration of staff in post-16 education.

As the member association for organisations which offer specialist further education and training for students with learning difficulties and/or disabilities, we largely welcome the principles supporting the proposals. However, a lack of sector-specific detail makes fully supporting the proposals problematic.

Throughout the consultation document and this response form, the inclusion of ‘staff working in post-16 education’ reads as something of an afterthought and ‘practitioners’ in specialist FE colleges as an additional postscript. For example, much consideration is given in the consultation document to the different job roles in special schools that may require registration, but the blanket term ‘practitioners’ is used in reference to staff in specialist FE colleges who may be required to register.

Hence, the aspiration of the consultation proposal that registration categories be widened to bring parity to learning and teaching staff regardless of where they work is sadly not met by the consultation document itself or the feedback sought in this response form. We recognise that this could be attributable to the comparatively low numbers of staff working in the specialist FE sector but highlight that the lack of exemplification of roles that may be required to register makes it hard to respond in anything but general terms.

Natspec has previously raised with Welsh Government in its consultation on the mandatory registration of adult residential care workers (March 2022) that residential colleges require clarity on which posts in specialist colleges would be required to register. For example, in some colleges, staff support learners in both education settings and in residential care environs. We asked if the personal care they provide to learners would necessitate their registration with Social Care Wales. We also raised questions of equity in relation to other education providers who provide personal care to learners and concerns that education staff in specialist FE colleges may be required to pay a registration fee that staff in other comparable education providers where care is provided by education staff do not. This consultation document stated it will seek to avoid any need for dual registrations, so clarity is required on how dual service (i.e., education and care) providers will be accommodated by both Social Care Wales and the EWC.

Any requirement for staff in specialist colleges to register with the EWC and the associated annual fee for individual staff members must recognise and accommodate the staffing and funding challenges facing specialist colleges as raised with Welsh Government in a Briefing from Natspec in March 2022. We hope that allied to these proposals are plans for Welsh Government to include the specialist FE sector in initiatives targeting staff recruitment, retention and improved continuing professional development opportunities across education settings. For example, through parity in any roll out of initiatives seeking to address current staff shortages and the professionalisation of learning support roles. All specialist FE colleges in Wales are publicly funded and any requirement to impose registration fees for staff working in the specialist sector (including the mandatory registration of adult social care workers) must be mirrored with recognition in fee agreements from Welsh Government and support for the sector's staffing crisis. This is particularly important as ALN Transformation progresses and local authorities are passed responsibilities for the funding of young people in whose additional learning provision is a specialist FE college.

In summary we largely welcome the move to increased parity for professionals in Wales' education system and given the points highlighted above, would welcome the opportunity for further consideration of more robust proposals in relation to professionals working in specialist FE colleges.

What do you think about volunteers working with young people?

Question 21 – Do you agree with the proposition not to require volunteers who work with young people to register with the EWC?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input checked="" type="checkbox"/>
------------	--------------------------	-----------	--------------------------	-------------------	-------------------------------------

Supporting comments

Question 22 – We would like to know your views on the effects that our proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Supporting comments

Question 23 – Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

Question 24 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: